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SPEECH UPON PATRONAGE.

ADVERTISEMENT.

THE following Speech was first delivered from short notes, without any thought of farther publication.—It was soon after transcribed, for the perusal of some friends who had not heard it; and it is now published at the earnest desire of many, both hearers and others.

1784



A
S P E E C H,

ADDRESSED TO THE
PROVINCIAL SYNOD OF GLASGOW
AND *AYR*,

MET AT *AYR*, 14th April 1784,

BY ONE OF THE MEMBERS OF THAT COURT,

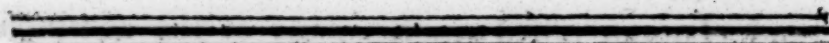
U P O N

P A T R O N A G E.

EDINBURGH:

PRINTED IN THE YEAR M,DCC,LXXXIV.





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S P E E C H

U P O N

P A T R O N A G E.

MODERATOR,

IT was much against my mind, that this matter was made a subject of publick debate among us. There are but too many controversies that meet us in the ordinary course of our business; we need not go out of our way to seek more. I remonstrated against the introducing of this one, as much as I could, when it was first proposed in the Presbytery of which I have the honour to be a member: But now, since it is forced in upon us, and cannot be avoided, I must crave leave to deliver my sentiments upon it, before the very reverend Synod, with freedom, being desirous, at the same time, of farther light, and submitting myself to the corrections of my brethren, where I may be wrong.

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MODERATOR

MODERATOR—There is so great a prejudice and clamour raised among many of the common people of this country against the law of patronage, that it is certainly unpopular at present, and perhaps dangerous, for any one to open his mouth in favour of it. These clamours and prejudices have been, for a long time past, industriously stirred up, not only by sectaries and dissenters from the established Church, but by many ministers and others in the established Church itself; of which I shall produce pregnant proofs, before I have done.—Nor need we wonder at their success; for nothing is more easy, than to persuade people to go along with the current of their own inclinations, and to concur in pursuing measures, that flatter them with the hope of an increase of their worldly power and importance.

For my own part, Sir, I owe as little to patronage as most ministers of the Church. I accepted of a presentation, indeed, but had along with it the unanimous consent of the people to my ordination; and I never afterwards sought a presentation to a better benefice, however desirable or needful it might be in my circumstances: Nay, I can tell you farther, Sir, that very near a third part of my stipend, at this day, consists of voluntary gratuities, over and above what my presentation gave me a right to, as I understood it at my ordination; which I do not mention, God knows, as a proof of any peculiar merit in me, or any reflection on those of my brethren
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who have been differently circumstanced, in this respect. I know that many worthy ministers of this Church have met with much opposition in their ministerial functions.—It is an evil from which inspired men have not been exempted.—The Apostles and Prophets suffered the same, and even our Lord JESUS CHRIST himself. I know instances also, where some parishes, which did violently oppose the settlement of their ministers, have come, in a little time, upon farther acquaintance, to love and esteem them very highly; and that others, which received their pastors at first as angels from Heaven, have soon after repented of their fondness, and been willing to give a great deal to be rid of them. But I have mentioned my own case, as above, to show, that I may reasonably hope to be credited, when I declare, that I have no motive to say any thing in favour of patronage, farther than a regard to truth and justice, and the peace of my country, and the interest of religion, and the real welfare of the Christian people in it, seem to require of me.

NEITHER do I intend, Sir, to plead in favour of patronage, as preferable to any other law that can be framed upon that subject. I think, it does not belong to us, ministers of the Gospel, to plead either for or against it, considered in itself.—It is not a matter within our province.—It is a question of power or property, among the laymen of our nation.—It lies purely between

lay-patrons on the one hand, and laymen that are not patrons on the other : Clergymen have properly nothing to do with it ; and perhaps it would be wiser for us to leave them to settle it among themselves, in the best manner they can, unless the parties concerned do mutually agree to consult us, and ask our advice.

I MUST farther observe, that our being troubled at all with questions of this sort, is owing to the degeneracy of the times ; not only a degeneracy in our own order, of which some melancholy instances will occur afterwards, but a degeneracy in others. For, if those who are possessed of patronages in this country had been always at due pains to reconcile the several parishes to their presentees,—if they, and all in the higher ranks of life, had regularly attended the House of God on the LORD's day, and countenanced the ordinances of religion, as their fathers did, and maintained withal an exemplary life, we should probably have had no dispute this day about patronage. But, when the common people see their superiors in station and fortune, as far as they can judge, entirely regardless of religion, as if it were an affair in which they had no concern, they are apt to think, that such persons ought to have no hand in providing pastors for them ; and that, as they are themselves the only persons who attend upon pastoral ministrations, so they alone ought to have the power of choosing or nominating the persons that are to perform the same.

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I DO not therefore mean to plead for patronage in itself; and, whatever I say that may seem to favour it, I desire it may be understood to be said of it only as it is connected with the peace of the country, and the interest of religion in it, and the quiet, the comfort, and edification of the Christian people.

MODERATOR—I would now beg the attention of the very reverend Synod to a few facts, which I hope will not be contested, and which I shall briefly state, as the ground of a motion I have to make.—The *first* is, That the law of patronage actually subsists, and is in force at present in this Church; so that, until it be repealed by an act of parliament, no court in the land, civil or ecclesiastical, can supersede the exercise of it, in any particular instance. It is not one of those laws, which, though unrepealed, have long gone into desuetude, and which, some may think, ought to be repealed, because they are never put in execution.—My *second* fact is, That this law has been in force for upwards of seventy years last past. Perhaps I might assert, that it has been always a law of this Church, even from the Reformation, except in times of publick confusion, and during the short interval of twenty-two years, from 1690 to 1712. But every one must allow, that it has been uninterruptedly the law and practice of this Church, from the last-mentioned period, *i. e.* now upwards of seventy years: And what is there but that it gives ministers a legal right to their bene-

fices, and entitles them to sue for the payment of their stipend, when refused?—The *third* fact I would state, is, That the exercise of patronage hath not been attended with any inconvenience to those parishes that have peaceably submitted to it. For, in consequence of presentations, they have got no other pastors but such as were regularly licenced to preach the Gospel, by one or other of the presbyteries of this Church; and such men they must have got for their pastors, though in consequence of their own choice; unless they had thought fit to secede from the established Church, which they have it in their power to do at any time. It is therefore a great mistake, if not a misrepresentation, in the letter of the “Old Constitutional Society,” as they call themselves, at Glasgow, which I have now in my hand,—(this letter hath fallen in my way but very lately, and accidentally,—though it seems to have been circulated for a long time past, for it is dated 16th September 1783)—a great mistake, I say, when they assert, That patronage “hath driven 200,000 of the people of Scotland into a state of separation from the Church,—given rise to a spirit of religious discord and party zeal, which hath overspread the land,—disturbed the peace of families, and rent the Church itself into violent parties.” No, Sir, it is not fact.—Patronage hath done none of these things, whatever the opposition to it may have done. If it can be shown, that patronage, where it was unopposed and peaceably submitted to, hath caused any one of these calamities,

mities, which are, indeed, too visible in our land; I will retract my assertion. But I presume it cannot. —As truly may it be affirmed, Sir, that the religion of JESUS hath produced all the wars, and persecutions, and massacres, that have been perpetrated in the world on occasion of it; when, in reality, it was not it, but the opposition to it, and the gross violation of all its most sacred precepts, that caused those mischiefs. Much more truly may it be asserted, that it is such men as this Constitutional Society consists of, that have caused all those evils in our land, which they do falsely and injuriously charge upon patronage. Yes, Sir, they are doing what they can, to “drive people from the established Church, to spread a spirit of religious discord and party zeal through the land, to disturb the peace of families, and to rend the Church itself into violent parties.”

IN order to make out this point, and to show by what arts the present flame against patronage hath been kindled and fed among us, I must here beg leave to mention another remark or two, on the famous letter above-mentioned.—Its declared purpose is, instead of the present law of patronage, to procure a restoration of the act 1690, which vests the power of presentations in the heritors and elders of each parish. But in this, it seems, the “Old Constitutional Society” are opposed by the “New Constitutional Society,” lately formed in the same city, who are for pure popular elections, without any presentation at all. In order to bring
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these and others into their measures, what does the Old Constitutional Society do? Why, they mutilate the act 1690, and represent it giving as much countenance to popular elections as the friends of that measure could wish.—They say, “This act begins with the election or nomination and call by the heritors and elders; the person named is then to be proposed to the whole congregation, to be either approved or disapproved by them; and the business ends with the judgment and ordination of the Presbytery.”—Very well; and so it does. But they forget to mention one most material part of the act previous to this; which is, That, if the congregation “disapprove, the disapprovers are to give in their reasons, to the effect the affair may be cognosced on by the Presbytery of the bounds.”—From their account of the matter, any one who did not know, or had not access to the act itself, would naturally conclude, that a congregation might refuse the man proposed to them, without giving any reason for it; and that they had an absolute negative upon the election of the heritors and elders. But that is not the case, as we have seen; for the act expressly bears, That, if they disapprove, they must give their reasons for so doing; and the validity of those reasons must be submitted to the judgment of the Presbytery. Now, that is a privilege which congregations are in full possession of, as the law stands at present.

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THIS part, therefore, of the letter in question, is evidently calculated to abuse the simplicity of ignorant people, and to make them imagine, that, by concurring with the views of the Old Constitutional Society, they shall attain to powers and privileges which are new and extraordinary, when, in fact, they are little or nothing more than what the people are already possessed of. Indeed, the whole of this factious and inflammatory letter seems contrived to practise upon the weakness and ignorance of illiterate people.—For the use of such alone it is intended, and such only will be misled by it; the more easily, alas! that it soothes their passions and prejudices, and tells them what is agreeable, rather than what is true and useful to them: A method, by which, even honest people are too liable to be imposed on.

FORMERLY, this “Constitutional Society” addressed their letters, on the subject of patronage, to the ministers of each parish, to be considered by them and the elders jointly, in their respective kirk-sessions. And, while they proceeded in that open way, we were willing to correspond with them. We did correspond with them. However different our sentiments might be from theirs, we readily entered into amicable communings with them, desirous to receive, as well as to give, useful information. But that method, it seems, did not suit the views of the “Old Constitutional Society,” and therefore, they laid it aside. Their next course, which I am sorry to mention,

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was, to address themselves, by their agents or emissaries, in a dark, underhand, clandestine way, to such of the elders as they found disaffected, or could render disaffected, to their own ministers; and to exclude from their councils all ministers who were, or might be suspected to be, of a different opinion from themselves. To vote with them in church courts, is, it seems, the only test of merit, in their eyes. They expressly warn elders, to be on their guard against the influence of every other kind of merit but this; and scruple not to exhort them, in plain terms, never to vote for their own ministers, or any others, to be members of the General Assembly, "however amiable" "their private characters may be," if this test of merit be not found in them.

MODERATOR—I appeal to you, Sir, whether this can be reckoned good advice. Is it charitable? Is it candid? Is it christian? Is it doing to others as they would be done to themselves?—What injury have these "amiable ministers" done to "the Constitutional Society" at Glasgow, that the Society should have thus, I don't say declared open war against them, but basely attempted to stab them in the dark, and to destroy, at one blow, their credit, their comfort, their influence, and their usefulness, without the injured persons having it in their power to see from what quarter the blow came?—Or, if not to them, what injury have they done to true religion? Nothing is alleged, nothing pretended.

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They are acknowledged, though it may be unwillingly, to be “ amiable in their private characters;” and their only crime confessedly is, differing in opinion from “ the Constitutional Society.”

· MODERATOR—If this be not a party spirit, if it be not a factious, seditious, usurping, tyrannical, and unchristian spirit, I do not know what is meant by these terms. I humbly conceive, that the zeal which dictated this part of their proceedings, borrowed nothing of the wisdom that is from above. They may have faith, but their faith does not work by love, even to the amiable. They may be saints, but they are not the saints of my Master, the LORD JESUS CHRIST; at least, in this instance, they have not shown, that they have any portion of his righteousness in them. Without such proofs, would any plain, honest Christian have thought it possible, that men professing godliness, and an eminent degree thereof, could have trodden under foot the obvious and indispensable obligations of their profession, in order to bring about a project, of which the utility must be acknowledged to be comparatively small and uncertain, though it were successful? Would he have suspected zealous Presbyterians to be capable of adopting in their practice, the popish, the jesuitical maxim, That “ the end sanctifies the means?” or, that we may do evil, that good may come? For my part, I am inclined to think, in spite of strong evidence against them, that they are, upon
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the whole, well-meaning men, but men whose zeal has seduced and ensnared them; and even the best minds need to be guarded against the fatal infection of party zeal.

As to those amiable men, on whom they have made so unprovoked and unjust an attack, some of them will probably think this pretended "Constitutional Society" beneath their notice; others, though touched with a just indignation, will, perhaps, judge it prudent to keep silence, and treat them with neglect: Many will defy the utmost efforts of their malice; all, I hope, will be ready to forgive the personal injury done, or designed, against themselves. But, in my humble opinion, the friends of Christian piety should not forbear, as occasion offers, to testify against such manifest and scandalous violations of religion and justice, committed under the pretence of religion, nor suffer them to pass without deserved reprehension. Now, Sir, it is chiefly to these, and the like practices, that we owe all those evils which are by many so freely imputed to patronage, and all those complaints and clamours that are at this day sounding so loudly through the land against it. But, surely, these practices can afford no commendation to the cause in favour of which they are used. Nay, they would be a disgrace to the best cause in the world. Though I were ever so fond of getting patronage abolished, yet, as a Christian, as a man, I should think myself obliged
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to abhor every unfair and unrighteous doing, in the prosecution of my design.

MODERATOR—Let me now speak a little to the proposed repeal of the present law of patronage.—There are two things, I apprehend, which all who seek the repeal of any established law in a country, especially a law of long standing, and of daily use, should be previously well resolved in. *First*, They should be agreed upon a better law to put in its place, if any law at all be necessary on the subject. And, *secondly*, They should provide, that no person's interest or property be lesed by the proposed alteration, especially the interest of those whose consent is absolutely necessary for accomplishing it. If either of these precautions be wanting, they can have no reasonable prospect of success in seeking a change; and their attempts to procure it, seem to be imprudent and unjust.

As to the *first*, It is surely not sufficient to be dissatisfied with the present law, but necessary to be agreed upon something better to supply its place. Without this, it is in vain to proceed one step in seeking the repeal of it. Now, whatever aversion there may be to the present law of patronage, I do not find that there is any general agreement among its opposers upon a new and better law. Nay, its keenest opposers are no less keen in opposing one another on the subject; one "Constitutional Society" counteracting another

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“Constitutional Society;” all agreed, indeed, against patronage, but by no means agreed how to proceed without it. What a contemptible figure, I pray you, Sir, would the Church of Scotland make, in applying to the Legislature for the repeal of a law, when she acknowledges, that some law is necessary in the case, but is not able to tell what law she would have? Would this be any proof of her being deprived of her liberty, and not rather of her wantonly abusing it? Would it not be a proof of her loathing the blessing of liberty, from too great fulness? Would it not be acting like over-indulged, peevish children, whom nothing will please, and who want something to make them happy, but know not what it is?

BUT modesty, you say, teaches us not to prescribe to our Legislators, but rather leave it to their wisdom to consult and determine for our happiness. I answer, It would be thought no breach of modesty, to signify to them, in respectful terms, our real grievances, and our humble desires. But if, without knowing what these are, we petition them for an alteration of long-established laws, may not they very properly command us to be content with our present circumstances?

MANY other modes of settling vacant churches may be proposed, and some of them possibly better than the present law of patronage. I will not dispute it. In this reforming age, every ingenious projector

projector will have a peculiar mode of his own. But, what I say, is, let that better mode be once ascertained, and generally agreed upon, before we apply for a repeal of the present law, and especially before we countenance the dissatisfaction of the people with it; otherwise, I fear we shall not act as good members, either of the Church or State. Perhaps it is unfortunate for me, but so it is, that I have not yet been able to discover, either from my own thoughts or others†, any thing that I can positively say, would be better than the present law, if men were but satisfied with it. As things stand at present, every precaution almost that human wisdom can devise, is taken to provide the several parishes of this country with able and well-qualified pastors. No person can be presented to any charge, that has not been regularly licensed, after a long course of study at some of the universities, and after producing ample documents of the goodness of his moral character, &c. and he has to undergo a second course of trials before he can be ordained. Is it a great hardship, to enjoy the benefit of such a man's pastoral labours without paying for it? Do the Christian people of this country groan under an oppressive and tyrannical yoke, because they are invited, at free cost, to attend upon the ministry of a man so qualified, unless they have also the power of refusing him, without giving any good reason for it?

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Modesty,

† See, among others, a pamphlet on the subject, by the reverend Mr. Hardie, which, I think, has great merit in the composition, independent of the argument.

Modesty, one should think, would blush to pretend it. The present laws would make the people happy, if they were pleased with them; and if they be not pleased with them, no laws in the universe will make them happy.

MANY hard words, I know, are often used concerning patronage, as, oppression, slavery, cruel yoke, &c. But it would behove those who use such expressions, to consider, whether they speak the language of truth and soberness, and not rather of prejudice and passion. Particularly, ministers who speak so of patronage, ought to reflect, whether they came to their places by it. Not but that a good subject may reasonably desire an amendment of any of the laws under which he lives, civil or ecclesiastical, provided he be able to tell distinctly what his amendment is, and to point out the superior advantages of it: But if, without being able to do this, he take the freedom to rail at the laws in being, and endeavour to excite or nourish a hatred of them in the minds of the people, I think he is so far not a good subject. I shall be told, that the ministers and elders of this Church are authorized, at least by their own laws, to rail against patronage, because the General Assembly, every year, in their instructions to their Commission, speak of it as “a great grievance,” &c. I confess the fact, Moderator, and am sorry for it. It seems to be one of those instances, where the language of the Church is at variance with her practice; at least, from her

her conduct for many years past, one is tempted to think she uses it only as a customary style, without any very serious meaning. If she means that patronage is a grievance, for any other reason than the aversion which many of the people have for it, I wish she had told the same, and had taken some more effectual measures, ere now, to get it redressed.

BUT admit, that the above form of speech, used annually by the General Assembly, warrants the members of this Church to treat patronage with all the opprobrious epithets that have been given to it, does it likewise warrant them, or any of them, to defame the characters of their brethren, and to hold them up as the just objects of publick resentment and indignation, merely because they use their best endeavours to preserve order and peace in society, and in the Church? Thus, all who countenance the exercise of patronage, or approve of it, are stigmatized by the "Constitutional Society" at Glasgow, in their letter above mentioned, with the titles of "the friends of tyranny," and "the determined foes of our religious liberties." It is doubtless with a very Christian spirit that they have taken up these reproaches against their neighbours, who differ in opinion from them. I am one of those, Sir, who differ from them; and yet, they must give me leave to reject the charge. I know it, Sir, in one case at least, to be false, and they have not proved it to be true in any case. I am no

friend of tyranny, but its determined enemy. I am no foe of Christian liberty, but would gladly do every thing within the compass of my small power, to promote and preserve it. And, as I said before, I have no particular obligations to the law of patronage, more than its opposers; perhaps I have less than many of them. But, for aught I can see, it is as favourable to Christian liberty, as any other law yet devised to supply its place.

I PUT myself, Moderator, in the situation of one of the common people, prejudiced, suppose, against the law of patronage, but candid in his prejudices, and willing to weigh all the circumstances, in order to form a proper judgment of it; and I ask, How is my Christian liberty infringed, by the exercise of patronage? Why a man regularly licensed to preach the gospel is presented to the parish where I live, without my being consulted upon the matter? A grievous offence indeed! It hurts my pride, or my presumption; but how does it hurt my Christian liberty? Perhaps the man is highly worthy of my esteem and regard: It ought to be presumed that he is so, after so many trials have been taken of his life and conversation, as well as of his learning and abilities. But, after all these trials, if I, or the poorest inmate in the parish, can produce and prove any valid objection against his life or doctrine, the law puts it in my power to get him rejected from being a minister to me, or to any other

ther person within the bounds of this established Church. And, if I can produce no such objection, why should I not receive him in the LORD, and submit to his ministry, and be thankful to the laws of my country, which have thus provided for my enjoying the gospel without any expence?—But, though I cannot directly charge him with any crime, I think he wants some talents and qualifications for preaching the gospel, that I could wish my minister to have. Very possible. Few men possess all the qualifications for publick speaking that shall render them perfectly agreeable to every one among a large multitude. Some inconveniencies must be borne in society, for the sake of the common good; and though patronage were abolished, I am not quite sure of always getting a minister exactly to my taste.—But still, though I cannot give any reason for it that may satisfy others, I find myself totally averse to this man, and my inclination, my conscience, will not permit me to be one of his flock. Well, let me see. Does the law of patronage compel me to be so? No, it does not. This odious, enslaving law, leaves me at full liberty to judge and choose for myself, and to attend upon the ministry of any other person that shall be more agreeable to me. It is true, I must answer to GOD for it, if I refuse due submission to HIS ministers, *i. e.* to any of those against whom I have no just objection: But the law of patronage lays no restraint upon me as to that matter; which is a much greater liberty than I
enjoy

enjoy in civil matters; for, I have no vote for my representative in parliament, and yet am bound to observe the laws made by them, whether I will or no, though they be made absolutely without my consent, and be often grievous and inconvenient to me. I seem, then, to have much more cause to complain of slavery in my civil, than in my religious capacity; notwithstanding the law of patronage.

MODERATOR—If an honest plain man, who is even averse to patronage, would allow himself to reflect on it calmly and impartially, according to these facts, which I have briefly stated, it is likely his prejudices would abate, and he would be much better reconciled to it than he was before; and certainly it is his duty, as a good subject, to acquiesce in it, till something better can be devised, and generally agreed to, by his countrymen.

BUT I come now to the *second* precaution above-mentioned; for in order to obtain an abolition, or alteration, of any established law, it is not enough for a people to be even very generally agreed upon a better law to substitute in the room of it. Before any attempt be made to procure the desired alteration, prudence and justice seem to require farther, that they be prepared to make a reasonable compensation to those, whose interest stands in the way of their beloved project; and without whose consent it can never be accomplished

plished in a fair and peaceable manner. Upon this ground, Moderator, I could have little hope of obtaining a repeal of the present law of patronage, though the clergy, and elders, and common people of Scotland, were all united in a new plan that would be more agreeable to them; because those who are possessed of patronages in this country, and who are also most likely to have a voice in the legislature of it, consider their patronages as a part of their freehold, their chartered rights, which cannot, and indeed ought not to be taken from them, without a valuable consideration, such as shall make them willing to part with them.—I need not enlarge upon this point. Men are apt to be but too tenacious of their private rights, even when valuable publick interests are likely to be served by the sacrifice of them. They will no doubt be much more so, when usurpations are attempted to be made upon them, which, they may have reason to think, would not be for the good of the usurpers themselves.

BUT our claims, say you, are so clear and well-founded, nothing will oppose them: At least, a restoration of the act 1690 will not be refused to us, because “we have a rightful claim to it*.”—I answer, You have not yet stated the full extent of your claims. A revival of the act 1690, is confessedly not your ultimate object. You desire something upon the foundation of it, which you have not been pleased to explain.—

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* See Letter of Old Constitutional Society in Glasgow, annexed.

That act is only the first step in the scale of your ambition. But suppose it were the summit of it, where does the "righteousness of your claim" to that act appear?—From the treaty of Union? It is true, the commissioners appointed to adjust that important affair, were not authorized to treat of any alteration of Church government, and it was declared †, That the true protestant religion, as then professed within the kingdom, and the worship, discipline, and government of the Church, as then by law established, should be effectually and unalterably secured. But certainly the exercise of patronage might consist with all these things, at one period as well as at another. It was not more inconsistent with them, after the year 1712, than it was before the year 1690, or before the year 1649. It existed in the most flourishing days of presbyterianism, and seems not to have been considered as any way contrary to it at its first establishment. It is not once mentioned or hinted at, in all "the articles of Union;" it was not thought of in drawing up "the claim of rights," nor numbered among "the articles of grievances," that were presented to their Majesties King William and Queen Mary, by the estates of this kingdom, when (in 1689) they made them a tender of the Crown. Mens minds were then taken up with grievances of a more real and substantial kind. Neither does the act 1690 condemn patronage itself, but only says, That it had been "greatly abused, and was inconvenient

† See act 6th, 1707.

“convenient to be continued.” It was without doubt greatly abused, when patrons could put any person they pleased in possession of a benefice in their gift, or could keep churches vacant, as they often did, for several years together, and pocket the stipends of them ‡, or get the same applied to their own purposes, after they were declared * to be no more than trustees thereof. This abuse, of keeping churches vacant, revived again with the restoration of patronage, in 1712; but it was effectually remedied, by an act passed for that very purpose, in the year 1719. From that time, patronage hath not been liable to the abuses so justly complained of before. It is now laid under many wise and salutary restrictions; and, if it be a monarchy in the church, as some invidiously term it, it is a limited monarchy, exactly of a piece with our admired civil constitution.

It should be farther considered, that the act 1690, which is now so precious in the eyes of many, was conditional in its very existence. Whether it actually produced so much “union and peace, prosperity and happiness †,” during its operation, as is pretended, I leave to others to determine. One thing is certain, that it abolished patronage, only on certain terms and conditions specified in the act; and, if these terms were not complied with, what follows? It should seem, that the act fell of course, or, at least, was very justly repealed, after a trial of twenty-two
years,

‡ See 1593, c. 72. * See 1625, c. 18. † See Letter annexed.

years, let the men who procured the repeal of it be as bad as you will. This act appointed "the heritors "and liferenters of each parish, and the town-council for the burgh," within a limited time, to pay 600 merks to the patron for his right ; and it was only on payment being made to him, or, in case of his refusal, on the money being consigned, that he was to be completely and finally denuded of his right of presentation. A very few parishes availed themselves of the opportunity, and fulfilled the condition ; and to them the act 1712, restoring patronage, expressly confirms the right of nominating their own pastors, which they enjoy at this day. But what "rightful claim" have other parishes to that privilege, who, neither within the time limited, nor at any other time since, ever offered to fulfil the condition of it ?—From all which, I think it is manifest, that the repeal of the present law of patronage cannot be claimed as a matter of right, upon the foot of its being an infringement of the treaty of Union, even supposing the Union laws to be absolutely immutable and eternal.

WHAT then shall we fly to next, in order to convince men of the justice of our claims, though contrary to their own immediate worldly interests ? Shall we have recourse to the Gospel records, and tell them, with a loud voice, That patronage has no foundation there ?—They will not be in the least moved with the bold pretence.—They will ask us coolly, In what place of the Gospel

Gospel patronage is forbidden?—They will put the case, If any opulent Christian, in St. Paul's time, had proposed to erect a place of worship on his own grounds, and to provide a decent maintenance for some Christian minister, who should have it for his sole employment statedly to officiate there, and who should be no other but one recommended by the apostle himself, or fairly tried, according to the rules laid down in his writings,—and, finally, had freely invited all Christians that pleased, to attend there for the worship of God, and the hearing of his word, without money and without price;—they will ask, Whether the apostle would have cried, in this case, “It is forbidden, unless you allow the hearers that please to come to choose your minister.—It is tyrannizing over them.—It is oppressing them.—It is depriving them of their Christian liberty.—It is imposing on them a cruel and intolerable yoke,” &c.—According to our modern demagogues, St. Paul ought to have spoken thus, in the case now put. But the question is, Whether he would not rather have received the proposal with gratitude to Heaven, and applauded the piety and usefulness of the scheme?—They will ask us farther, What foundation there is in the New Testament for the opposition now made to the present law of patronage in this country, not only by open violence in some cases, where it can be procured, but by mistating facts, and imposing on ignorant people, under a pretence of great love to them, by diffusing among

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them a spirit of discontent and disaffection to the government under which they live, by reviling the established laws, and traducing the characters of worthy men who support the same? &c.

SHALL we say, that the right of a people to choose their own ministers, is a part of their Christian liberty, which CHRIST died to procure for them? The answer is easy, That patronage does not deny that right,—does not obstruct it in the least, but leaves them at full liberty to choose, what spiritual, as well as what bodily physicians they please, provided they open their purses, and pay them out of their own pockets. They may indeed take up with quacks of both kinds: but there is no help for it; better do so than not have their liberty. Patronage only hinders them to choose ministers for themselves, and at the same time to maintain those ministers at the expence of others. And surely this is not a liberty which CHRIST died to procure for them.—He did not die to procure them the liberty of committing injustice.—He died, not to save their purses, but to save their souls.

THUS, Moderator, I have given my reasons, why I think the very reverend Synod ought not to adopt the overture now before them. We are by no means ripe for an application to parliament for a repeal of the law of patronage, or any alteration of it; *first*, Because we are nowise agreed upon a better law to put in its place; and, *secondly*,

ly, Because we have made no provision for removing that formidable obstacle of worldly interest which stands in our way, and which would be apt to oppose us, though our claims were ever so just; the interest I mean of those, without whose assistance we can never obtain what the overture means to apply for.—Upon the whole, Sir, I must return to the position with which I began, That this is a question which does not properly belong to us ministers of the Gospel.—We are volunteers in the controversy. It immediately concerns none but laymen. For us ministers, it is enough, (and, if we be faithful to our proper trust, it is enough also for the interest of true religion, as far as human imperfection will admit), that no person can be licensed, or ordained to any charge within the bounds of this Church, without our approbation. And will we lament the condition of a Christian congregation, who are freely invited to give their approbation and countenance to a man, that already has ours? I will presume to say for myself, that I love the Christian people as sincerely and warmly as any one of those who enjoy the greatest share of their confidence; and I would willingly gratify the meanest of them in every thing lawful and truly good for them: Nay, for the sake of peace and concord, I would consent to a mode of introducing ministers into vacant churches, that appeared to me less proper than the one now in use, if any were adopted that would be more acceptable and useful to them. In the mean time, I am a-

gainst transmitting the present overture to the Venerable Assembly; and, if an overture must be transmitted upon the subject of patronage, I would humbly move, Sir, that, instead of the overture now on your table, the very reverend Synod would transmit the following one, which I think more dutiful, and more suitable to our present circumstances :

“ It is humbly overtured, by the Provincial
 “ Synod of Glasgow and Ayr, met at Ayr, this
 “ 14th day of April 1784, to the General Assen-
 “ bly, That whereas the law of patronage is now
 “ actually in force in this Church, as it has been
 “ for upwards of seventy years last past, without
 “ being attended with any inconvenience to those
 “ parishes that have peaceably submitted to it;
 “ and whereas unwarrantable and unusual endea-
 “ vours have of late been made, by divers mem-
 “ bers of this Church, to inflame the minds of
 “ the common people against it; therefore, the
 “ Venerable Assembly would be pleased to take
 “ such measures as to their wisdom shall seem
 “ meet, for repressing the said disorders, and re-
 “ conciling the minds of the people to the fore-
 “ said law of patronage, as it at present stands;
 “ at least, until a better law to supply its place
 “ be framed and agreed to by its opposers, and
 “ until the same can be got established, in a legal
 “ and constitutional manner.”

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THE seasonableness and propriety, of this overture, in every part of it, (in case any overture be transmitted), I have endeavoured to show, in the preceding observations. But perhaps I shall be told, That it is in vain to attempt impossibilities; that the prejudices of the people against patronage are rooted and unconquerable; and that we shall sooner remove mountains, than persuade them to acquiesce in it.—If it be so, Moderator, our situation, to be sure, is very deplorable. But I am not of that opinion. I think a great deal might be done towards the happy end now mentioned, if the teachers and spiritual guides of the people, those especially who possess most of their confidence, would unanimously agree, as it becomes the ministers of peace and reconciliation, to exert all their influence, for engaging them to yield a peaceable submission to the law of the land, in a case which none of them dare pretend to be unlawful in the sight of GOD. And, were the great body of the people as fond of the law of patronage as they are now said to be averse to it, I would ask its most able and violent opposer, where the grievance of it would ly, and what would be the evils resulting from it? A wise admonition and recommendation from the Venerable Assembly, might have weight with the most popular, as well as the unpopular ministers among us. If there are difficulties in making the people content with the present law, there are difficulties also, as we have seen, and those, perhaps, no less unsurmountable, in getting the present law

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altered : And, if the difficulties are equal on both sides, I leave you to judge, Sir, to which of the two the dictates of conscience and of duty ought to lead us.—At any rate, let us follow the path of duty.—If we honestly do our duty, we shall be rewarded, though unsuccessful in the particular object.—If we swerve from it, there is one above us, who will not fail, in due time, to do ample justice to us all.

L E T T E R,

REFERRED TO

IN THE FOREGOING SPEECH.



L E T T E R

OF THE

OLD CONSTITUTIONAL SOCIETY

IN GLASGOW.

S I R,

THE Constitutional Society in Glasgow, consisting chiefly of the ministers and elders of this city, with some other hearty friends of our constitution, in church and state, were incorporated in the year 1771, and now take the name of *The Old Constitutional Society*, to distinguish themselves from another society, lately formed in this place,

place, and who have assumed the name of *The New Constitutional Society*. The design of our institution was, to recover, if possible, that liberty, unity and peace, which the Church enjoyed, from the Revolution to that unhappy period when patrons were restored to the power of presenting ministers. In prosecution of this design, the Society, from time to time, have sent pamphlets gratis to all the corners of Scotland, to give full information to the friends of the Church, on subjects in which we are all very deeply concerned. The state of things amongst us at this time, we apprehend, will sufficiently show the propriety, and even necessity, of the present address.

YOU have, no doubt, heard of a proposal made at last Assembly, which was intended to pave the way for some relief to this Church from the grievous yoke of patronage, and that it was lost through the want of a very few votes. Some new proposals of this kind will probably be laid before the next Assembly; and as we have great reason to believe, that the proposal made in May last was thrown out in consequence of the inattention of elders, at the choosing of their commissioners, we think it our duty to give you early warning to prepare for next Assembly.

WE beseech you to consider what pity it will be, if all our hopes of deliverance from the bondage of patronage shall be lost, by neglecting an
opportunity

opportunity so favourable as that which, in the course of Providence, is now presented to us.

It would be very unseasonable, at this time, to enter into any disputes relating to the difference between popular elections and the act of parliament 1690. This act begins with the election or nomination and "call by the heritors and elders;" the person named is then to be "proposed to the whole congregation, to be either approved or disapproved by them;" and the business ends with the judgment and ordination of the Presbytery. Under this law, the Church enjoyed union and peace, prosperity and happiness; to this law we have a rightful claim, and no reason to think it will be refused to us. But, why should we differ on points of this kind, when the common enemy is in such force against us? We are agreed, that the act restoring patrons to their ancient powers, has been so explained and executed, that the worst of consequences have resulted from it. It has driven two hundred thousand of the people of Scotland into a state of separation from the Church; too much oppressed already with the hardships of the times, it has loaded them with the maintenance of another ministry; it has given rise to a spirit of religious discord and party zeal, which has overspread the land; it hath disturbed the peace of families; and it has rent the church itself into violent parties. Instead, then, of giving advantages

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tages to the friends of tyranny against us, and, indeed, defeating the whole design, by an untimely dispute about what is the most proper mode to be established for the election of ministers; why should we not rather unite our most strenuous exertions to obtain a repeal of a law, which, we are all agreed, has drawn such a train of evils along with it?

WE have certainly very strong encouragement to bestir ourselves at present. That party in the Church courts, who have uniformly promoted violent settlements, are now alarmed at the smallness of the majority which appeared upon their side at the last Assembly; and have been at work, for some months, in preparing matters for next Assembly: They are exerting all their influence, to bring up such members as will support them in those measures which have been so destructive to the Church of Scotland. And when we consider the justice of our cause, the noble spirit which appears in many corners of the country, and the information we have, that many of the clergy, as well as laity, who voted for violent settlements, are desirous of some alteration in the law; we can have no doubt, if the elders be careful, on this great occasion, that such a decided majority will appear at the next Assembly, as will lay the foundation of liberty to us and our children, from a yoke, which neither we, nor our fathers, have been able to bear.

DEEPLY

DEEPLY as our minds are impressed with the critical situation of our publick affairs, we need no other apology for suggesting a few things, which may probably have occurred to your own mind, but are of such importance, that we think it our duty to mention them.

THAT elders have very great power in our ecclesiastical constitution, is evident, both from the number who have a right to sit in the General Assembly, and from the influence which they have in forming that court itself. The Assembly, when fully met, consists of 183 ministers, and 149 elders; so that, if elders were united in promoting their own interests, and those of the people, they want only eighteen ministers to give them a clear majority; and is there not in every Assembly a much greater number of ministers on your side? To the fault of your own body, therefore, every defeat you meet with must be ascribed.

BUT you have not only great weight in the Assembly, you have it also in your power, to *form and model that Court* to your own views. Every Presbytery, excepting in some few instances, consists of an equal number of ministers and elders, the last of whom are chosen by the different sessions. If, therefore, sessions were at due pains to send up proper elders, at the annual election of Commissioners to the Assembly; it is evident, that, by choosing none but ministers
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and elders of your own views, the complexion of that Court would soon be totally altered. And are you not astonished to think, that, when you have been complaining so long, and so loudly, of the ruinous decisions of late Assemblies, you should all the while remain inactive; when, by choosing none but proper representatives, you had it in your own power, at once to have put a stop to the evil! If you feel any concern for our present situation, we hope the following advices will not be deemed unseasonable, nor improper.

1. Take care to have proper elders chosen, to represent you in the Presbytery and Synod to which you belong; men who are intelligent, faithful and active, and who will give punctual attendance at both: No matter though you should be obliged repeatedly to choose the same men.—
2. Be sure that the election be made and recorded at the first meeting of your Session after every Synod: It must be within two months after the meeting of Synod, otherwise it will be rejected. The elder so chosen, must be furnished with an extract of his election, subscribed by the clerk. This he delivers to the Presbytery, in consequence of which he is inrolled as a member;—the same extract he delivers also to the Synod. These regulations are, indeed, an encroachment upon your privileges, made by the ruling party in the Assembly, a few years ago. They know, that you are in general unfriendly to their designs; and therefore, they made this act, which, however unconstitutional, yet, as long as they should have

have numbers in the Assembly to enforce it, what through the thoughtlessness or forgetfulness of plain men in the country, who are not accustomed to exact formalities, and the artifices that might be used to give an advantage over them, they had but too much reason to presume, would keep many of your seats in the superior courts empty. But the very jealousy which they discover about you, ought to rouse you to a sense of your own weight and influence, and to make you, by all means, to disappoint such insidious restrictions. It is much to be lamented, that the generality of elders do not rightly understand the importance of this privilege of choosing their own representatives. They look upon it as a thing which can have little or no effect; and therefore, they will not be at the trouble to contend for it. If this were not the fact, how could it ever have happened, that, in many sessions, there has not been a representative chosen within the memory of man? nay, what is still worse, that in others, the minister has the address to get a person chosen (if such an one there be among them) who will assist him in supporting every pernicious scheme; and, when persons of a different character are chosen, how hard is it to get them brought up to attend either presbyteries or synods, even when affairs of the greatest moment are to be determined? This fatal negligence and inattention is the great ground of complaint which is brought against you; and, indeed, it is not easy to conceive how you should continue in such a listless

state, when your most valuable privileges are so audaciously invaded. We wish you, at this time, to be particularly attentive to the election of proper commissioners to the next General Assembly, *as much*, very much, depends upon it. On the day of election, the Presbytery elders ought by all possible means to attend. Not a single person should be absent from such an interesting and decisive affair; for, when parties are nearly equal, the want of a single vote will sometimes turn the scale; and if any of you are necessarily hindered from attending, you ought, in that case, instantly to resign your commission, that the sessions to which you belong may proceed to elect others in your room.

THE Presbytery elders, some time before the members of Assembly are chosen, should meet among themselves, and, with those ministers in the Presbytery in whom they can confide, agree on proper persons to represent them in the next General Assembly. The propriety, and even necessity of this, must appear at once to every person who spends a single thought on the subject. Is it not a most grievous thing, to be witness to a set of men who have come up with a sincere desire to get proper persons elected for our Supreme Court, throwing away some of their votes upon persons who were not intended to be chosen by either party, and thereby putting it in the power of their opponents to carry the election quite against them? And yet, this is a blunder
into

into which some have fallen, merely for want of taking this previous step. Such ministers, and such alone, should be chosen, as will attend their duty, and such as have the same principles with yourselves. Let not a regard for your own, or any other minister, however amiable his private character may be, ever seduce you to vote for him, if he follow those measures in the Church Courts which will ruin the interest of religion among us. And do you not yet understand, that this is the practice of every one who either openly joins the opposite party, or who meanly slips out of court, when he knows that their cause will be carried without him? It is also of the utmost importance, to consider well who are to be chosen for your Assembly elders: To keep out improper elders, is one thing, but to send proper elders, is of much more importance. Inattention to this, has been the cause of all our evils. If there be any elders among yourselves, who will attend and be friendly to your views, they are the most proper to be chosen. But, if you be at a loss for persons of this description among yourselves, and think fit to apply to this Society, by writing a letter to the reverend Doctor John Gillies, one of the ministers of Glasgow, a proper and qualified person may be recommended, who is eligible by you, though living at a distance.

BE not discouraged from insisting upon your right of choosing your own representatives, however much your conduct may be misrepresented

or reproached by those who differ from you. As it is your privilege, so remember, it is your indispensable duty to support the constitution of this Church, and to defend the interests of religion, by choosing those ministers and elders to represent you, and those alone, who are well-affected to our spiritual liberties*. Consider the necessity of an immediate exertion, or giving up the cause, perhaps for ever. Think how much is now at stake—your own comfort—the liberties of your children—and the interests of religion. These all call upon you to rouse from your lethargy, and to make a vigorous and united effort. The occasion is pressing—the season favourable—publick expectation great—your opponents also straining every nerve—and, should they succeed, they may rivet the chains of oppression and slavery upon you and your children, to the latest posterity. If, then, any sense of freedom remain, if you have yet any concern for the prosperity of the Church, or the advancement of religion, you will now seize the favourable opportunity, and improve it to the best advantage. But if, through any mean or cowardly motives, you refuse to exert the power in your own hands, you must for ever bear the blame of disappointing the hopes at present entertained, of obtaining redress. And as, according

* See the above directions more fully illustrated, in a pamphlet sent by this Society, in the year 1771, to every parish in Scotland, entitled, *An Effectual Method for recovering our Religious Liberties*, which we now beg leave again to recommend to your serious perusal.

According to our LORD's observation, *He that is not with us*, upon such a pressing occasion, *is against us*, take heed lest you be considered, in the eye of the great Judge of all, as joining with the determined foes of our Christian liberties, in binding upon our necks the most cruel yoke of spiritual oppression that this Church ever groaned under, since the days of the Reformation.

It will be very obliging to us, if you will lay this letter before the elders of your parish, either in session or out of it, as you judge most advisable, and recommend this business to their most serious consideration; and let us send up our fervent prayers to that GOD who hath the hearts of all men in his hand, and turneth them as the rivers of waters, that he may stir up a spirit amongst us suited to so great a proposal, and be pleased to grant the desired success.

THIS, in name, and by appointment of the Old Constitutional Society in Glasgow, is subscribed by,

S I R,

Your most humble servant,

GLASGOW, 16th Sept.
1783.

JOHN GILLIES, Preses.

P. S. The favour of an answer, directed as above, is earnestly requested, that we may know how far our endeavours meet with your approbation, and what support may be expected from the members of your session.

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not only be upon such a position, it is
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this letter before the eyes of your parish, rather
in fashion or out of it, as we have a full view
able, and recommended this business to their
famous consideration; and let us not be carried
your fathers to that God who hath the power of
all things in the world, and there is no
force of a law, or a man, or a man, or a man,
moving us to do so, even a sign, and so
powerful to turn the Church's face.

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Thus, however, and by appearance of the Old
Constitutional Society in Oxford, it is
likely to be.

Your most humble servant,

JOHN CILLIERS, Esq.

1. The Church of England, as it is
in reality, is a body of men, who
for out of the world, and for the
world, and who are to be regarded as
the Church of England.

